



Javier Merino <jmerino@dannlaw.com>

Wolf/Dollar General Amended Complaint

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Hi Javier,

Hope all is well with you. If you recall, on April 26 Judge Halperin requested that you withdraw Plaintiffs' claim for declaratory judgment without prejudice, which was the first claim in the original complaint. In doing so, the Judge instructed Plaintiffs' to leave this claim out of the amended complaint. See also ECF No. 22 (stating "Plaintiffs' first claim for relief was withdrawn without prejudice, and the Court construed the allegations therein as supplementing the basis for allegations in Plaintiffs' second claim for relief."). Despite the Court's holding and counsel's representation at the April 26 hearing, the amended complaint filed on May 12 contains a declaratory judgment claim which is substantively identical to the declaratory judgment claim in the original complaint. Therefore, pursuant to the Court's order and counsel's representations, Dollar General requests that Plaintiff file an amended complaint removing the first cause of action for declaratory judgment.

Thank you and please let us know if you have any questions or would like to discuss.

Regards,

Philip A. Goldstein

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